



June 29, 2012

Bonnie D. Shealy

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## **VIA ELECTRONIC FILING**

Jocelyn Boyd, Chief Clerk / Administrator Public Service Commission of South Carolina Post Office Drawer 11649 Columbia, South Carolina 29211

Re: Information from Telephone Utilities Regarding Compliance

with 26 S.C. Code Ann. Regs. 103-607

**Nexus Communications, Inc.** 

Docket Nos. 2011-329-C & 2012-253-C

Dear Jocelyn:

Nexus Communications, Inc. ("Nexus") respectfully requests that it be allowed to cure its failure to file the necessary bond required by 26 S.C. Code Regs. Section 103-607. Pursuant to 26 S.C. Code Regs. Section 103-803, Nexus requests that it be granted a partial waiver of the amount of the bond required by 26 S.C. Code Regs. Section 103-607 ("Bond Regulation"). The Bond Regulation allows the Commission to determine the type and amount of bond or other security mechanism. The Company seeks relief from the amount of the required bond since compliance would produce unusual hardship and difficulty.

Nexus was certificated to provide local exchange service in South Carolina in Docket No. 2004-59-C, Order No. 2004-421, on September 3, 2004. Nexus maintains a small presence in South Carolina. Nexus currently serves approximately 95 residential customers in the State. We respectfully request that the amount of the bond or other security mechanism for Nexus be no more than \$7,600.00. The formula approved by the Commission in Order No. 2012-175 would be calculated as follows

South Carolina residential customers (95) times average residential retail rate (\$40.00) times two months of service = \$7,600.00.

The Company has been providing service in South Carolina since it was certificated in 2004. Its annual report on file with the Office of Regulatory Staff ("ORS") and its many years of operations in South Carolina demonstrate its financial stability. To require Nexus to post a \$100,000 bond places an excessive burden on its cost of doing business in South Carolina.

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Therefore, we respectfully request that Nexus be allowed to post a bond, irrevocable letter of credit or other security mechanism of \$7,600.00 so that the Company may come into compliance with 26 S.C. Code Ann. Regs. 103-607 and be dismissed from the rule to show cause proceeding.

Should the Commission have any questions or need additional information, please contact me.

Very truly yours,

ROBINSON, McFadden & Moore, P.C.

Bonnie D. Shealy

/bds

cc: Lessie Hammonds, ORS Attorney (via email & U.S. Mail) Mr. Steven Fenker (via email)